

Remarks

Applicants request favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

Initially, to the extent the Examiner has not already done so, Applicants request that the Examiner consider the documents listed on the PTO-1449 form submitted with the Information Disclosure Statement filed on October 10, 2001, and initial and return such form with the next communication.

Claims 1-16 are presented for examination. Claims 1, 5, 11, and 15 are independent.

By this paper, claims 1, 4-6, 11, and 15 have been amended to clarify certain features of Applicants' invention. Support for the changes can be found in the original application, as filed. Applicants submit that no new matter has been added.

In the Office Action dated December 14, 2004, claims 1-3, 7, 8, 10, and 13-16 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,264,829 to Antalffy et al. ("the '829 patent"), in view of U.S. Patent No. 5,098,524 to Antalffy et al. ("the '524 patent"). Claims 4-6, 9, 11, and 12 were objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form.

Applicants respectfully traverse the rejections of claim 1-3, 7, 8, 10, and 13-16, and submit that the cited art fails to teach or suggest salient features of their invention, as previously recited, for example, in independent claims 1 and 15. Nevertheless, without conceding the propriety of the rejections, and solely to expedite prosecution, Applicants have

amended independent claims 1 and 15 to clarify certain features of their invention, and have rewritten claims 5 and 11 in independent form.

Applicants submit that independent claims 5 and 11 should be deemed allowable at the outset.

As amended, independent claim 1 relates to an apparatus for removing a bottom cover on a coke drum. The apparatus includes a support structure that supports at least the coke drum, a vertical actuator for moving the bottom cover vertically in a removal operation of the bottom cover, a rotating actuator for rotating the bottom cover in a removal operation, and a frame assembly. The frame assembly has opposing ends, namely, a pivoting end that is attached to the bottom cover, and a sliding end that is slidably mounted for movement along a plane. The frame assembly, the vertical actuator, and the rotating actuator cooperate to remove the bottom cover in a removal operation.

Independent claim 15 is directed to a method of removing a bottom cover on a coke drum that includes steps of supporting at least the coke drum using a structure, providing a vertical actuator for moving the bottom cover vertically in a removal operation, providing a rotating actuator, providing a frame assembly having opposing ends so that a pivoting end is attached to the bottom cover and a sliding end is slidably mounted for movement along a plane, and actuating the vertical actuator and sliding the sliding end of the frame assembly to move the bottom cover only vertically.

Applicants submit that the cited art does not teach or suggest such features of their invention, as recited in independent claims 1 and 15. The '829 patent discloses a coke drum deheading device that moves a coke drum head 14 in a non-circular path. In the Office Action, the Examiner asserts that the pivoting motion of the swing arms 24 around bearings 28 constitutes "sliding." To clarify the invention recited in claims 1 and 15, Applicants have amended those claims to recite that the sliding end is slidably mounted *for movement along a plane*. Applicants submit that the '829 patent does not teach or suggest a frame assembly having a sliding end that is slidably mounted for movement along a plane, in addition to a pivoting end that is attached to the bottom cover of the coke drum.

Applicants understand that the '524 patent was cited for its disclosure of a ring assembly 15, which the Examiner asserts could be incorporated in the device of the '829 patent as a support structure for the coke drum. Even assuming a motivation existed to make this modification, the '524 patent, like the '829 patent, does not disclose a frame assembly with a sliding end that is slidably mounted for movement along a plane.

Accordingly, even when combined in the manner proposed in the Office Action, the cited art fails to teach or suggest the invention recited in independent claims 1 and 15. Applicants request, therefore, that the rejection of independent claims 1 and 15 under § 103(a) be withdrawn.


Claims 2-4, 6-10, 12-14, and 16, which variously depend from independent claims 1, 5, and 15, are believed to be patentable for at least the same reasons as are their respective independent claims. Further individual consideration of the dependent claims is requested.

Applicants request that this Amendment After Final Rejection be entered under 37 C.F.R. § 1.116. Applicants submit that the present amendments place the claims in condition for allowance, or at least in better form for appeal. The present amendments were not previously presented due to Applicants' belief that the prior claims were allowable.

Applicants submit that the subject application is in condition for allowance. Favorable reconsideration, withdrawal of the rejections set forth in the Office Action, and an early Notice of Allowance are requested.

Applicants' undersigned attorney can be reached in the Washington, D.C. office of Fitzpatrick, Cella, Harper & Scinto by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,


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